

REMARKS

Applicant thanks the Patent Office for the careful attention accorded this Application and respectfully request reconsideration in view of the Amendment above and remarks set forth below.

In response to the Office Action mailed May 30, 2007, Applicant has amended independent Claim 478 and dependent Claim 489 to avoid any basis for rejection under 35 USC Section 112.

Applicant has also amended the Abstract of Disclosure to more accurately reflect the present invention defined by the amended Claims.

Applicant will submit under a separate cover a Supplemental Information Disclosure Statement (SIDS) to further reconstruct the state of knowledge in the art at the time the present invention was made.

As amended, Applicant believes that amended Claims 478-489 clearly point out and distinctively claim the present invention over the prior art references of record, and are now in condition for allowance.

As amended, Claim 478 is directed to a Web-based EC-enabled shopping network ("EC-enabled shopping network") that is configured to allow members of a consumer product management team to communicate directly with consumers shopping at EC-enabled Websites along the WWW.

As recited in amended Claim 478, the EC-enabled shopping network includes a plurality of e-commerce enabled information servers supporting a plurality of EC-enabled Websites, and a first Web-based subsystem configured to allow members of the product management team for a registered consumer product, as well as authorized parties, to create and manage a consumer product information (CPI) link structure for each registered consumer product.

As claimed, each CPI link structure comprises the following items:

- (i) a Unique Product Number (UPN) assigned to the consumer product; and
- (ii) a set of URLs for a plurality of consumer product information (CPI) resources stored on Web-based information servers operably connected to the WWW, and wherein the CPI resources can be selected by one or more members of the product management team and authorized parties to program the set of CPI resources for the consumer product.

As recited in amended Claim 478, the EC-enabled shopping network includes a second Web-based subsystem configured to allow product management team members and authorized parties, associated with a registered consumer product, to create and deploy one or more Web-based Multi-Mode Virtual Kiosks (MMVKs) for the consumer product so that each said deployed MMVK can be installed in and launched from one or more HTML-encoded pages located in the EC-enabled Websites, and accessible by consumers using a Web browser.

Each MMVK on the network is implemented using (i) a computer-executable server-side component stored on a first Internet-enabled information server operably connected to the WWW and including code specifying the UPN assigned to the consumer product, and (ii) a MMVK tag embodying a unique URL that references the computer-executable server-side component and is embeddable within at least one of the HTML-encoded pages located in the EC-enabled Websites.

As recited in amended Claim 478, when generated by the first Internet-enabled information server, and served to the Web browser of a consumer, each MMVK displays a graphical user interface (GUI) that is characterized by a plurality of independently programmable display modes selected from the group consisting of (i) an advertising display mode for displaying one or more advertising spots, (ii) a promotional display mode for displaying one or more promotional spots, and (iii) a consumer product information (CPI) menu display mode for displaying a set of CPI resources arranged for selection by the consumer using the Web browser.

As recited in amended Claim 478, the EC-enabled shopping network includes a plurality of Web-based information servers operably connected to the WWW, storing and configured to serve one or more advertising spots, one or more promotional spots, and the set of CPI resources to the Web browser, for display to the consumer through the plurality of independently programmable display modes of each MMVK.

As recited in amended Claim 478, the EC-enabled shopping network includes a second Internet-enabled information server storing and configured to serve a library of MMVK tags on the WWW, for each registered consumer product, for which at least one MMVK has been created and deployed and is ready for installation on the HTML-encoded pages of the EC-enabled Websites.

As claimed, the second Internet-enabled information server is also configured to allow the product management team members and/or said authorized parties to download and install at least one MMVK tag in at least one HTML-encoded page located in at least one EC-enabled Website.

As recited in amended Claim 478, the set of URLs included with the CPI link structure for a registered consumer product, specify the location of corresponding CPI resources stored on Web-based information servers located on the WWW.

As recited in amended Claim 478, the EC-enabled shopping network also includes a third Web-based subsystem configured to allow the product management team members and authorized parties to independently program the advertising display mode of each MMVK with one or more advertising spots, and the promotional display mode of each MMVK with one or more promotional spots.

As claimed, when at least one CPI link structure has been created for a registered consumer product using the first Web-based subsystem, then the second Web-based subsystem is configured to allow the product management team members and authorized parties to create and deploy one or more MMVKs for registered consumer products, and also to access the library and

download MMVK tags from the second Internet-enabled information server for installation in at least one HTML-encoded page of at least one of the EC-enabled Websites.

As claimed, the first Web-based subsystem allows product management team members and authorized parties to independently program the CPI menu display mode of each installed MMVK.

The third Web-based subsystem allows the product management team members and authorized parties to independently program the advertising and promotional display modes of each installed MMVK.

Upon the Web-browser of the consumer encountering one installed MMVK tag along the HTML-encoded page of one EC-enabled Website, the computer-executable server-side component corresponding to the installed MMVK tag is automatically executed and the corresponding MMVK is generated by the first Internet-enabled information server and served to the Web browser, for display by the Web browser and review by the consumer at the EC-enabled Website.

Dependent Claims 479-489 are directed to subordinate features of the present invention.

Clear detailed technical support for the claimed invention is found throughout the Specification.

This novel system architecture of the Web-based EC-enabled shopping network of the present invention has a number of important benefits and advantages.

In particular, any branded consumer product manufacturer (and its retail trading partners) can now quickly create, deploy and manage Web-based MMVKs for each and every product in the its supply-chain management system, and simply install and manage these MMVKs across all of its Web-based marketing and merchandising channels, at EC-enabled WWW-sites along the WWW including EC-enabled stores and EC-enabled online product catalogs.

As each Web-based MMVK is a server-side driven, GUI-based marketing communication subsystem, tuned to a particular consumer product, accessible to consumers at points of presence along the fabric of the EC-enabled WWW-sites, and having a plurality of programmable display modes, product managers have the capacity to compose and deliver the kinds of product brand experiences which they intend or wish consumers to have when they encounter their brand of products being offered for sale or otherwise marketed at EC-enabled WWW sites associated with network of the present invention.

Once a plurality of MMVKs have been installed at multiple EC-enabled WWW-Sites within the Web-based network of the claimed invention, the product management team members associated with the MMVKs can deliver high-impact brand experiences, self-product and value to consumers (e.g. via short rich media ads and promos and product demos and related brand information), providing the manufacturer with a voice at the online point of sale, while helping retailers build their brand, deliver product, satisfy consumers, and drive sales.

A manufacturer's entire consumer product catalog (managed by the UPNs assigned to such products) can be quickly serviced by the Web-based shopping network of the present invention, and a MMVK automatically and quickly generated for each product.

Each MMVK on the Web-based shopping network of the claimed invention has three independent modes of information display, and these display modes can be easily programmed by different members of the product management team (e.g. product information managers, advertising agencies, and promotional agencies) who typically have different responsibilities within a product brand management enterprise.

MMVKs deployed on the Web-based shopping network of the claimed invention can function as virtual product showcases that allow manufacturers to deliver consistent product marketing communications and merchandising of products to consumers at different touch-points along EC-enabled WWW-Site on the WWW.

MMVKs deployed on the Web-based shopping network of the claimed invention can also function as turnkey e-commerce stores to support e-commerce transactions along EC-enabled WWW-Site on the WWW.

Using the Web-based shopping network of the claimed invention, product management teams can exercise a high degree of control over their product brand information at EC-enabled WWW sites including EC-enabled stores and EC-enabled online product catalogs, regardless of where such consumer product information resources may actually reside at locations (specified by URLs) on the WWW (e.g. stored on and served from global content delivery networks or CDNs, and Web-enabled content management /publishing systems).

Many other benefits of the Web-based shopping network of the claimed invention will become apparent in view of the present Specification.

Applicant has carefully reviewed the prior art references, including US Patent Nos. 6,591,247 to Stern, 6,542,933 to Durst et al, 6,154,738 and 5,913,210 to Call, and 5,999,912 to Wodarz et al, and firmly believes, that when taken alone or in combination with each other, the prior art as a whole fails to disclose, teach or suggest Applicant's novel Web-based EC-enabled shopping network that is configured to allow members of a consumer product management team to communicate directly with consumers shopping at EC-enabled Websites along the WWW--- using server-side driven Multi-Mode Virtual Kiosks (MMVKS) installed at these EC-enabled Websites, as claimed.

US Patent No. 6,591,247 to Stern discloses an IP-based digital content distribution network, wherein batteries of digital content (e.g. product information and advertisements) are combined together in a single distribution file (e.g. big format) at a centralized database server (i.e. NMC database 252c, Database files 352 and Builder 350) and then delivered to remote sites (e.g. physical retail kiosks, "wall of eyes" television sets etc) in physical retail stores, in either an interactive or non-interactive manner, on a per product basis. As disclosed, the interactive delivery method may be initiated by the consumer scanning a UPC code on a product of interest, in a brick and mortar store.

US Patent No. 6,542,933 to Durst et al discloses a system for delivering consumer product information on the Internet to a user's Web browser by providing the consumer product's UPC number to a UPC/URL database server constructed in accordance with US Patent No. 5,978,773 to Hudetz et al.

US Patent Nos. 6,154,738 and 5,913,210 to Call discloses an Internet-based consumer product information delivery system which uses Perl-based CGI scripts to receive universal product codes (or parts thereof) from http requests generated from client browsers viewing HTML pages having anchor links requiring universal product code (UPCs) embedded therein.

US Patent No. 5,999,912 to Wodarz et al discloses an Internet-based advertising, scheduling and tracking system, employing (i) a computer executable server side component stored on an information server, and (ii) a HTML ad tag that is embeddable in an HTML-encoded page and references the server side component, allowing different ads to be swamped in and out, at different times (i.e. dynamically) according to changing consumer profiles, marketing conditions and the like.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein a first Web-based subsystem is configured to allow members of the product management team for a registered consumer product, as well as authorized parties, to create and manage a consumer product information (CPI) link structure for each registered consumer product,

wherein the CPI link structure comprises the following items:

- (i) a Unique Product Number (UPN) assigned to the consumer product; and
- (ii) a set of URLs for a plurality of consumer product information (CPI) resources stored

on Web-based information servers operably connected to the WWW, and

wherein the CPI resources can be selected by one or more members of the product management team and authorized parties to program the set of CPI resources for the consumer product.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein a second Web-based subsystem is configured to allow product management team members and authorized parties, associated with a registered consumer product, to create and deploy one or more Web-based Multi-Mode Virtual Kiosks (MMVKs) for the consumer product so that each deployed MMVK can be installed in and launched from one or more HTML-encoded pages located in EC-enabled Websites supported by a plurality of e-commerce enabled information servers, and accessible by consumers using a Web browser.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein each MMVK is implemented using (i) a computer-executable server-side component stored on a first Internet-enabled information server operably connected to the WWW and including code specifying the UPN assigned to said consumer product, and (ii) a MMVK tag embodying a unique URL that references said computer-executable server-side component and is embeddable within at least one of the HTML-encoded pages located in the EC-enabled Websites.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein each MMVK, when generated by the first Internet-enabled information server, and served to the Web browser of a consumer, displays a graphical user interface (GUI) that is characterized by a plurality of independently programmable display modes selected from the group consisting of (i) an advertising display mode for displaying one or more advertising spots, (ii) a promotional display mode for displaying one or more promotional spots, and (iii) a consumer product information (CPI) menu display mode for displaying a set of CPI resources arranged for selection by the consumer using the Web browser.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein a plurality of Web-based information servers are operably connected to the WWW, storing and configured to serve the one or more advertising spots, the one or more promotional spots and the set of CPI

resources to the Web browser, for display to the consumer through the plurality of independently programmable display modes of each MMVK.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein a second Internet-enabled information server stores and is configured to serve a library of MMVK tags on the WWW, for each registered consumer product, for which at least one MMVK has been created and deployed and is ready for installation on the HTML-encoded pages of the EC-enabled Websites.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein the second Internet-enabled information server is also configured to allow the product management team members and/or said authorized parties to download and install at least one MMVK tag in at least one HTML-encoded page located in at least one EC-enabled Website.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein the set of URLs included with the CPI link structure for a registered consumer product specify the location of corresponding CPI resources stored on Web-based information servers located on the WWW, and wherein a plurality of said CPI resources are selected by the product management team members and authorized parties to program one or more of said advertising, promotional and CPI menu display modes of the MMVK created and deployed for the registered consumer product associated with said CPI link structure;

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein when at least one CPI link structure has been created for a registered consumer product using the first Web-based subsystem, then the second Web-based subsystem is configured to allow the product management team members and authorized parties to create and deploy one or more MMVKs for the registered consumer product, and also to access said library and download the MMVK tag

from the second Internet-enabled information server for installation in at least one HTML-encoded page of at least one of the EC-enabled Websites.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein a third Web-based subsystem configured is configured to allow the product management team members and authorized parties to independently program the advertising display mode of each MMVK with one or more advertising spots, and the promotional display mode of the MMVK with one or more promotional spots.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein the first Web-based subsystem is configured to allow the product management team members and authorized parties to independently program the CPI menu display mode of each installed MMVK.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based EC-enabled shopping network as defined by amended Claim 478, wherein upon the Web-browser of the consumer encountering one installed MMVK tag along the HTML-encoded page of one EC-enabled Website, the computer-executable server-side component corresponding to the installed MMVK tag is automatically executed and the corresponding MMVK is generated by the first Internet-enabled information server and served to the Web browser, for display by the Web browser and review by the consumer at the EC-enabled Website.

Clearly, Stern's digital content delivery network combines digital content together in a single distribution file (e.g. big format) at a centralized database server, for delivery to remote sites in physical retail stores, and using this distribution method, there is no need or motivation to provide anything like Applicant's server-side component driven MMVKs, as claimed, which allows product management team members to program different display modes, and communicate product brand information, including ads and promos, directly to consumers at EC-enabled Websites.

In marked contrast, Applicant's Web-based network does not combine digital content into a single distribution file as does Stern, but rather allows product management team members to program each display mode of each deployed MMVK independently from all other display modes, using URL links (managed by the CPI link structure) which are used by the consumer's Web browser to pull brand-building information resource content from Web-based information servers located wherever they may be located on the WWW. In short, Applicant's Web-based network as claimed, and Stern's network as disclosed, operate on radically different principles of operation.

In US Patent 6,542,933, Durst is focused on providing an Web-based system for delivering consumer product information to a user's Web browser in response to providing the consumer product's UPC number to a UPC/URL database server (constructed in accordance with US Patent No. 5,978,773 to Hudetz et al). However, Durst does not provide any motivation for Applicant's Web-based network and its server-side component driven MMVKs, as claimed, which allows product management team members to program different display modes, and communicate product brand information directly to consumers at EC-enabled Websites.

In US Patent Nos. 6,154,738 and 5,913,210, Call is also focused on providing an Web-based system for delivering consumer product information to consumers at EC-commerce enabled Websites, but by using Perl-based CGI scripts to receive universal product codes (or parts thereof) from http requests generated from client browsers viewing HTML pages having anchor links requiring universal product code (UPCs) embedded therein. However, like Durst, Call also does not provide any motivation for Applicant's Web-based network and its server-side component driven MMVKs, as claimed.

In US Patent No. 5,999,912, Wodarz et al. are focused on providing an Internet-based advertising, scheduling and tracking system, employing (i) a computer executable server side component stored on an information server, and (ii) a HTML ad tag that is embeddable in an HTML-encoded page and references the server side component, so as to allow different ads to be swamped in and out, at different times (i.e. dynamically) according to changing consumer

profiles, marketing conditions and the like. However, like Stern, Durst, and Call, Wodarz also does not provide any motivation for Applicant's Web-based network and its server-side component driven MMVKs, as claimed, which allows product management team members to program different display modes, and communicate rich-media ads, promo and product brand information directly to consumers at EC-enabled Websites.

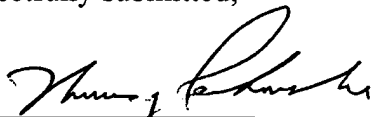
Thus, even when combining the disclosures of Stern, Durst, Call, Wodarz et al, and other prior art references made of record, Applicant firmly believes that the Web-based consumer shopping network of the claimed invention is clearly not provided, or suggested.

In view therefore, of the Amendment and Remarks set forth above, Applicant firmly believes that the present invention defined by amended Claims 478-489 is neither anticipated by, nor rendered obvious in view of the prior art of record, and that the present application is now in condition for allowance.

The Commissioner is hereby authorized to charge any fee deficiencies to Deposit Account 16-1340.

Respectfully submitted,

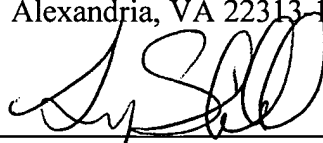
Dated: July 28, 2008


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A handwritten signature in black ink, appearing to read 'Elizabeth Skidd', is written over a horizontal line.

Mailer: Elizabeth Skidd

Date: July 28, 2008